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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF MARY ROE IN
SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

**ASSIGNED FOR ALL PURPOSES
TO THE HONORABLE DISTRICT
JUDGE JON S. TIGAR,
COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

1
2 I, Mary Roe, declare as follows:

3 1. I am over the age of 65 and am one of the plaintiffs in the above-
4 captioned action. I am appearing in this action under the fictitious name of “MARY
5 ROE,” in order to preserve my anonymity. I have personal knowledge of the facts
6 stated herein, except for facts that are stated on information, belief, or
7 understanding. As to the latter, I have a good faith basis for believing them to be
8 true. If called as a witness, I could and would competently testify thereto. I make this
9 declaration in support of Plaintiffs’ Motion for Preliminary Injunction.

10 2. I have lived in the Tenderloin neighborhood of San Francisco since 2016.
11 I currently live on the 200 block of Turk Street. I live within three blocks of the
12 GLIDE memorial church parking lot and within four blocks of the COVA hotel and
13 685 Ellis Street, which I understand to have been operated as homeless shelters by
14 the City of San Francisco. I also live right next to the Hospitality House located at
15 290 Turk Street, a non-profit that offers services to the homeless.

16 3. I am disabled as a result of Chronic Obstructive Pulmonary Disease
17 (“COPD”) and a degenerative spinal condition, and since approximately 2010, I have
18 had to use an oxygen tank and cannot leave my home without my inhaler. I must be
19 careful not to overexert myself, as I have had several recent flare-ups that result in
20 hospitalizations. Very often, I will have shortness of breath and will need to take
21 breaks when walking. A simple trip around the corner can set off my COPD and
22 result in a flare-up requiring medical attention. Adding extra steps, like stepping up
23 and down from the sidewalk, can cause me to exert myself and risk a flare-up. Living
24 in the Tenderloin with this disability is both scary and serious because you don’t
25 want to take your time walking through the conditions described in this declaration.
26 Whenever I need to rest to catch my breath, I feel that I am a target for criminal
27 activity. I often fear for my safety when leaving my home, particularly when I am
28 having a bad day and the conditions on the sidewalk require me to take extra care

1 with where I walk and who I interact with. Anything that causes me to have to stop
2 and rest makes me worried for my safety.

3 4. I frequently walk to the public bus stop on my block to access medical
4 care and other services. On the way to accessing these public services, I frequently
5 encounter the conditions and hazards described in this declaration.

6 5. I am aware of a new policy by the City related to the distribution of drug
7 paraphernalia. Prior to that policy change earlier this year, the Hospitality House
8 openly distributed drug paraphernalia, including glass pipes, foil, needles, and
9 cotton, on a table out front. Individuals would then sit right outside the Hospitality
10 House and start smoking or injecting drugs.

11 6. Presently, I see an increased number of people, sometimes five to eight
12 at a time, who hang out outside the Hospitality House. They will knock on the door.
13 Someone inside will crack the door open, hand them something, and then close the
14 door again. At times, I will see them walk a short distance away from the Hospitality
15 House, then stop near the front door to my building and start to smoke or inject
16 drugs. I believe these individuals are receiving drug paraphernalia from the
17 Hospitality House.

18 7. Very recently, the sidewalks on and near my block have been
19 increasingly blocked by loitering groups of people who appear to be homeless drug
20 users in various states of intoxication. Right outside my home, I frequently see people
21 gathered on the sidewalk appearing to be selling and smoking illegal drugs. I often
22 see people sitting, standing or lying down outside my front door smoking or injecting
23 what appears to be illegal drugs on the sidewalk. Recently, people have fully
24 obstructed the front door to the building and must be removed before I can leave the
25 property. Oftentimes, I find these individuals to be intimidating, scary, and
26 unpredictable. There is often debris, garbage, and human excrement outside the
27 front door to my building and on the sidewalk on my block. The smell from this
28 debris and human waste has been incredibly nauseating lately. Recently, as I left my

8. When I walk down the sidewalk, I frequently have to walk into the street to avoid people loitering in various states of intoxication who are blocking the sidewalk. I also have to navigate around debris, including discarded drug paraphernalia. It is both difficult and scary to step off the sidewalk and into the street because I need to move quickly to avoid moving traffic, and by the time I make it back to the sidewalk, my COPD will sometimes flare up, and I need to catch my breath.

9. While these conditions and hazards outside my home will improve at times, they have been largely consistent and have had a substantial impact on my ability to enjoy the use of my home and access to public services. Very recently, I have noticed an increase in these conditions I have described. I continue to take extra care for my safety when I leave my building and walk on the sidewalks when accessing services in the Tenderloin and the City of San Francisco.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on this 22th day of August, 2025, at San Francisco, California.

Mary Roe